Honorable August B. Landis
United States Bankruptcy Judge

Entered on Docket
April 17, 2014

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Attorneys for the Official Committee of
Unsecured Creditors of Martifer Solar USA, Inc.

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:
MARTIFER AURORA SOLAR, LLC, a Nevada limited liability company,
☐ Affects Martifer Aurora Solar, LLC
☑ Affects Martifer Solar USA, Inc.
☐ Affects All Debtors

Case No.: BK-S-14-10355-abl
BK-S-14-10357-abl
Jointly Administered Under
Case No. BK-S-14-10355-abl
Chapter 11

ORDER GRANTING MOTION OF THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS PURSUANT TO 11 U.S.C. §§ 1102(b)(3)(A) AND 1103(c) FOR ENTRY OF AN ORDER CLARIFYING ITS REQUIREMENT TO PROVIDE ACCESS TO INFORMATION 11 U.S.C. § 1102(b)(3)(A)

Hearing Date: April 14, 2014
Time: 9:30 a.m.

PACHULSKI STANG ZIEHL & JONES LLP
ATTORNEYS AT LAW
LOS ANGELES, CALIFORNIA

Upon the *Motion of the Official Committee of Unsecured Creditors Pursuant to 11 U.S.C. §§ 1102(b)(3)(A) and 1103(c) for Entry of an Order Clarifying Its Requirement to Provide Access to Information Under Bankruptcy Code Section 1102(b)(3)(A)* [ECF No. 410] (the "Motion")[1] filed by the Official Committee of Unsecured Creditors (the "Committee") of Martifer Solar USA, Inc., and it appearing that the relief requested in the Motion is in the best interests of the Debtor's estate, its creditors, and all other parties in interest; and the Court having jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334; and consideration of the Motion being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper in this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing that no other or further notice need be provided; and no objections to the Motion having been filed; and after due deliberation and sufficient cause appearing therefor,

IT IS ORDERED, ADJUDGED AND DECREED as follows:

1. The relief requested in the Motion is granted,

2. The Committee, its professionals, and its members and their respective agents, representatives, advisors, and counsel are not required to disseminate Confidential Information or Privileged Information to unsecured creditors. The Committee is authorized to withhold Confidential Information and Privileged Information as such terms are defined in the Motion. Notwithstanding the foregoing, this Order does not preclude or abridge the right of any creditor within the meaning of Section 1102(c)(3)(A) of the Bankruptcy Code to move the Court for an order requiring or compelling the production of such information or disclosure pursuant to Section 1102(c)(3)(C).

3. The Committee is deemed to have satisfied its duties under the "comment solicitation" prong of Section 1102(b)(3) of the Bankruptcy Code by means of a link to a web page posted on, and accessible via, Committee counsel's existing internet site.

4. This Court shall retain exclusive jurisdiction to interpret and enforce the provisions of this Order in all respects and further to hear and determine all matters arising from the construction and implementation of this Order.

IT IS SO ORDERED.

[1] Unless otherwise indicated, all capitalized terms herein shall have the same meaning as set forth in the Motion.

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PREPARED AND SUBMITTED BY:

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LR 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

☐ The court has waived the requirement of approval under LR 9021(b)(1).

☐ No party appeared at the hearing or filed an objection to the motion.

☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated above.

☐ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order.

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